THE HON'BLE SRI JUSTICE BILAL NAZKI

AND

THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION NO.1796 OF 2006

07-02-2006

Between:

Mulla Shali Basha … Petitioner

And

The Superintendent of Police

Kurnool District and others … Respondents

THE HON'BLE SRI JUSTICE BILAL NAZKI

AND

THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION NO.1796 OF 2006

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O R D E R (Per the Hon'ble Sri Bilal Nazki, J):

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The complaint made in the petition is that the minor daughter of the petitioner has been taken away by respondent Nos.1 to 3 to handover her to respondent No.4. In the counter-affidavit filed by respondent Nos.1 to 3, it is stated that at no point of time they had any occasion to intervene in the matter and as a matter of fact, the alleged detenue is the minor grand daughter of respondent No.4 and the mother of the alleged detenue died.

After getting instructions from the Advocate-General, the police made enquiries and they were told that the petitioner had married one of the daughters of respondent No.4 i.e., the mother of the alleged detenue, who died because of the alleged harassment of the petitioner. Now, the minor grand daughter is with her grand parents. By no stretch of imagination, this can be considered to be a wrongful confinement. If there is any dispute with regard to the custody of the minor child, the petitioner is at liberty to approach appropriate Court for custody of the child.

The writ petition is accordingly dismissed.

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(Bilal Nazki, J)

7th February, 2006

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(G.Chandraiah, J)

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